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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,459	01/30/2004	Robert S Anderson	P-6464-US2

27130  
EITAN, PEARL, LATZER & COHEN ZEDEK LLP  
10 ROCKEFELLER PLAZA, SUITE 1001  
NEW YORK, NY 10020

EPIC  
RECEIVED

17 JUN 2004

CONFIRMATION NO. 3936

## FORMALITIES LETTER



\*OC000000012955624\*

Date Mailed: 06/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1552 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2452 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1552

11/10/2004 STEUMEL1 00000040 050649 10767459  
01 FC:1001 790.00 DA  
02 FC:1202 864.00 DA  
03 FC:1201 704.00 DA  
04 FC:1051 130.00 DA

- \$688 for 8 independent claims over 3.
- \$864 for 48 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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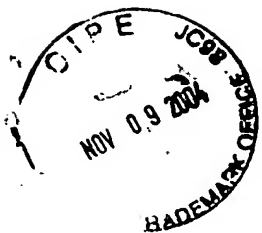
*A copy of this notice MUST be returned with the reply.*

*K. C. Brown*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS:      ANDERSON, Robert  
                     S. et al.                                      EXAMINER:                                      Not yet known

SERIAL NO.:      10/767,459                                      GROUP ART UNIT:                                      1615

FILED:              January 30, 2004                                      ATTORNEY DOCKET No.: P-6464-US2

FOR:                SYSTEM AND METHOD FOR TREATING TISSUE

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND  
PETITION FOR A THREE-MONTHS EXTENSION OF TIME**

Sir:

In response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b), mailed June 15, 2004 (a copy of which is enclosed), Applicants submit herewith the following:

1. ☒ an executed Declaration and Power of Attorney making reference to the above-identified application, and in compliance with 37 C.F.R. 1.63;
2. ☐ Applicant(s) Claim Small Entity Status; and
3. ☐ a Preliminary Amendment.

A response was due August 15, 2004. Applicants hereby petition for a THREE-month extension of time. Therefore, a response is now due on November 15, 2004. Accordingly, this Response and Petition are being timely filed.

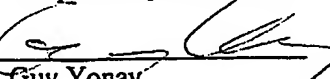
The Patent Office is hereby authorized to charge Deposit Account 05-0649 in the amount of \$3,468, covering the following:

APPLICANTS: ANDERSON, Robert S. et al.  
 SERIAL NO.: 10/767,459  
 FILED: January 30, 2004  
 Page 2

FEE CALCULATION				
<b>1. BASIC FILING FEE</b>				
	Large Entity Fee	Small Entity Fee		
Utility	\$790	\$395		790
Provisional	\$160	\$80		0
<b>2. EXTRA CLAIM FEES</b>				
Total Claims	68	-20 ** = 48	x 18	= 864
Independent Claims	11	- 3 ** = 8	x 88	= 704
		Multiple Dependent	x	= 0
Large Entity Fee	\$18 \$88 \$300	Small Entity Fee \$9 \$44 \$150	Fee Description Claims in excess of 20 Independent claims in excess of 3 Multiple dependent claim, if not paid	1,568
<b>3. Fee for Petition for Extension of Time</b>				
Large Entity Fee	Small Entity Fee			
\$110	\$55	Extension for reply within first Month		0
\$430	\$215	Extension for reply within second Month		0
\$980	\$490	Extension for reply within third Month		980
\$1,530	\$765	Extension for reply within fourth Month		0
<b>4. Surcharge Fee Under 37 CFR 1.16(e) or 1.492(e)</b>				
	Large Entity Fee	Small Entity Fee		
Utility	\$130	\$65		130
<b>5. Surcharge Fee Under 37 CFR 1.16(l)</b>				
	Large Entity Fee	Small Entity Fee		
Provisional	\$50	\$25		0
<b>TOTAL</b>				3,468

If any additional fee is required, the undersigned attorney hereby authorizes the Patent Office to charge such additional fee to Deposit Account 05-0649.

Respectfully submitted,

  
 Guy Yonay  
 Attorney for Applicants  
 Registration No. 52,388

Dated: November 9, 2004

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